

and condemnation of 94 boxes of pine nuts at Jersey City, N. J., and 34 boxes of pine nuts at Duryea, Pa.; alleging that the article had been shipped by Independent Halvah & Candies, Inc., from Brooklyn, N. Y., the former on or about September 7, 1938, and the latter on or about September 13, 1938; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted in whole or in part of a filthy vegetable substance.

On November 2 and November 29, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29688. Adulteration of rice. U. S. v. 360 Bags of Rice. Default decree of condemnation and destruction. (F. & D. No. 43846. Sample No. 38251-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested.

On September 12, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 bags of rice at Galveston, Tex.; alleging that the article had been shipped on or about August 1, 1938, by the Republic Rice Mill, Inc., from Gueydan, La.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On November 4, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29689. Adulteration of apples. U. S. v. 30 Bushels of Apples. Consent decree of condemnation with provision for release for removal of deleterious substances. (F. & D. No. 44347. Sample No. 32198-D.)

This product was contaminated with lead and arsenic.

On September 28, 1938, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 bushels of apples at Michigan City, Ind.; alleging that on or about September 21, 1938, William Stellema transported said article from Benton Harbor, Mich., to himself at Michigan City, Ind.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "R. P. Myers, R-2, Benton Harbor, Mich."

Adulteration was alleged in that the article contained added poisonous or deleterious ingredients, namely, arsenic and lead, which might have rendered it harmful to health.

On November 4, 1938, William Stellema, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released on condition that the poisonous and deleterious ingredients be removed under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

29690. Adulteration of butter. U. S. v. 16 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 44335. Sample No. 32294-D.)

This product contained less than 80 percent of milk fat.

On October 17, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 16 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about September 6, 1938, by the Beatrice Creamery Co. from Oklahoma City, Okla.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled "Butter."

Adulteration was alleged in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat, as provided by the act of March 4, 1923.

Misbranding was alleged in that the article was labeled butter, which was false and misleading since it contained less than 80 percent of milk fat.

On November 1, 1938, the Beatrice Creamery Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked to the legal standard.

M. L. WILSON, *Acting Secretary of Agriculture.*

29691. Adulteration of tullibeas. U. S. v. 6 Boxes of Tullibeas. Default decree of condemnation and destruction. (F. & D. No. 44208. Sample No. 13050-D.)

This product was infested with parasitic worms.

On October 10, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six boxes of tullibeas at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about October 4, 1938, by B. A. Arnesen, from Roosevelt, Minn.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance and in that it consisted of portions of animals unfit for food.

On October 28, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29692. Adulteration of canned salmon. U. S. v. 91½ Cases of Canned Salmon. Default decree of condemnation and destruction. (F. & D. No. 43739. Sample Nos. 36042-D, 36044-D, 36045-D, 36048-D.)

Samples of this product were found to be decomposed.

On September 7, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 91½ cases of unlabeled canned salmon at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about June 3, 1938, by the Alaska Salmon Co. from Naknek, Alaska; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On November 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29693. Adulteration of pears. U. S. v. 16 Bushels of Pears. Consent decree of condemnation and destruction. (F. & D. No. 44173. Sample No. 33399-D.)

This product was contaminated with arsenic and lead.

On September 27, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 16 bushels of pears at Chicago, Ill.; alleging that the article, consigned to John Geurkink, Chicago, Ill., had been shipped in interstate commerce on or about September 19, 1938, by Clarence Riddering, via truck of John Geurkink, from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Harry T. Gast, St. Joseph, Mich."

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On October 11, 1938, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29694. Adulteration of salted peanuts. U. S. v. 10 Cartons of Peanuts. Default decree of condemnation and destruction. (F. & D. No. 43672. Sample No. 38100-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested.